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## FILED ELECTRONICALLY VIA ECFS

February 29, 2008

Ms. Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW, Suite TW-A325  
Washington, DC 20554

RE: Clear VoIP Calling LLC  
Customer Proprietary Network Information Certification  
EB Docket No. 06-36

Dear Ms. Dortch:

Pursuant to 47 C.F.R. 64.2009(e) please find attached the 2007 Annual CPNI Certification and Accompanying Statement filed on behalf of Clear VoIP Calling LLC. These documents are submitted in accordance with the directive set forth in the FCC's *Public Notice*, DA 08-171, EB Docket No. 06-36, released January 29, 2008.

Please contact the undersigned should you have any questions or concerns at (269) 381-8844 or [pcrocker@earlylennon.com](mailto:pcrocker@earlylennon.com).

Very truly yours,

  
EARLY, LENNON, CROCKER & BARTOSIEWICZ, P.L.C.

Patrick D. Crocker

PDC/tld

cc: FCC Enforcement Bureau (2 copies via USPS Mail)  
Best Copy and Print, Inc. (via e-mail [FCC@BCPIWEB.COM](mailto:FCC@BCPIWEB.COM))

**Annual Customer Proprietary Network Information Certification****Pursuant to 47 C.F.R. § 64.2009(e)****EB Docket No. 06-36****February 18, 2008**

Clear VoIP Calling LLC

Form 499 Filer ID: 826033

Name of Signatory: Ron Schuman

Position: Managing Member

I, Ron Schuman, certify that I am Managing Member of Clear VoIP Calling LLC ("Clear VoIP Calling LLC") and acting as an agent of Clear VoIP Calling LLC, that I have personal knowledge that Clear VoIP Calling LLC has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. See 47 C.F.R. § 64.2001 et seq.

Attached to this certification is an accompanying statement explaining how Clear VoIP Calling LLC's procedures ensure the company is in compliance with the requirements set forth in sections 64.2001 et seq. of the Commission's rules.

Clear VoIP Calling LLC has not taken any actions (instituted proceedings or filed petitions at either state commissions, courts, or at the FCC) against data brokers in the past year. Clear VoIP Calling LLC has no information outside of Commission Docket No. 96-115, or that is not otherwise publicly available (e.g., through news media), regarding the processes pretenters are using to attempt to access CPNI. The steps the company has taken to protect CPNI include updating its CPNI practices and procedures and conducting new training designed to ensure compliance with the FCC's modified CPNI rules.

Clear VoIP Calling LLC has not received any customer complaints in the past year concerning the unauthorized release of CPNI.

  
Ron Schuman

Managing Member

Clear VoIP Calling LLC

## **Customer Proprietary Network Information Certification Attachment A**

Clear VoIP Calling LLC has established practices and procedures adequate to ensure compliance with Section 222 of the Communications Act of 1934, as amended, ("section 222") and the Federal Communications Commission's ("FCC") rules pertaining to customer proprietary network information ("CPNI") set forth in sections 64.2001 – 64.2011 of the Commission's rules. This attachment summarizes those practices and procedures, which have been updated so that they are adequate to ensure compliance with the Commission's CPNI rules, as modified by the Commission in 2007.

Clear VoIP Calling LLC provides private telecommunications services over dedicated lines to large enterprise and carrier customers pursuant to ICB contracts. Clear VoIP Calling LLC's customer contracts uniformly contain confidentiality agreements that address customers' private information. It is Clear VoIP Calling LLC's policy not to disclose CPNI except as specifically set out in its contracts with its customers and where required by law.

### **Safeguarding against pretexting**

- Clear VoIP Calling LLC takes reasonable measures to discover and protect against attempts to gain unauthorized access to CPNI, including the authentication of customers prior to disclosing CPNI based on customer-initiated contacts. Clear VoIP Calling LLC is committed to notify the FCC of any novel or new methods of pretexting it discovers and of any actions it takes against pretexters and data brokers.

### **Training and discipline**

- Clear VoIP Calling LLC has an express disciplinary process in place for violation of the Clear VoIP Calling LLC's CPNI practices and procedures. Clear VoIP Calling LLC employees are required to review and abide by Clear VoIP Calling LLC's Code of Conduct, which, prohibits all employees from using customer information other than for providing service to the customer or as required to be disclosed by law.

### **Clear VoIP Calling LLC's use of CPNI**

- Clear VoIP Calling LLC uses CPNI for the following purposes:
  - (1) To initiate, render, maintain, repair, bill and collect for services
  - (2) To protect its property rights; or to protect its subscribers or other carriers from fraudulent, abusive, or the unlawful use of, or subscription to, such services;
  - (3) For network maintenance; and
  - (4) As required by law.

- Clear VoIP Calling LLC does not distribute CPNI to third parties for their sales or marketing purposes. Nor does Clear VoIP Calling LLC share, sell, lease or otherwise provide CPNI to any of its affiliates, suppliers, vendors, or any other third party for the purpose of marketing any service.
- Clear VoIP Calling LLC does not share, sell, lease or otherwise provide CPNI to any third party except pursuant to appropriate non-disclosure agreements. Clear VoIP Calling LLC will not otherwise disclose CPNI to a third party except when required by a lawfully issued government subpoena.

#### **Additional safeguards**

- Clear VoIP Calling LLC does not use CPNI for marketing purposes and therefore does not have records to maintain regarding marketing campaigns that use its customers' CPNI.
- Clear VoIP Calling LLC has established a supervisory review process designed to ensure compliance with the FCC's CPNI rules.
- Clear VoIP Calling LLC designates one or more officers, as an agent or agents of the Clear VoIP Calling LLC, to sign and file a CPNI compliance certificate on an annual basis. The certificate conforms to the requirements set forth in FCC rule 64.2009(e).
- Clear VoIP Calling LLC does not disclose CPNI over the phone and does not allow for online access to CPNI.
- In the event of a breach of CPNI, Clear VoIP Calling LLC will comply with all applicable breach notification laws.